

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BENNETT RUBIN, individually and on  
behalf of all others similarly situated,

No. C-08-4214- SBA

Plaintiff,

**ORDER**

v.

WAL-MART STORES., *et al.*,

Defendants.


Before the Court is plaintiff's complaint. [Docket No. 1]. The plaintiff in this putative class action alleges, *inter alia*, that Wal-Mart Stores failed to pay him overtime wages and meal-premium wages during a specified pay period. Compl. ¶ 9. Plaintiff alleges defendant Wal-Mart Stores Defendant is a Delaware corporation, with principal offices in the State of Arkansas, and doing business in California through its more than 200 Wal-Mart and Sam's Club stores. *Id.* ¶ 4. He also alleges he was employed by Defendant Wal-Mart Stores in Panorama City, California. *Id.* ¶ 3.

For his verified venue allegation, plaintiff states, "Venue is proper in the Northern District of California because Defendant Wal-Mart Stores is subject to personal jurisdiction in that District." Compl. ¶ 2. Plaintiff not does elaborate.

ACCORDINGLY, IT IS HEREBY ORDERED THAT all parties shall file briefs of five pages or less, within seven days of the date of the entry of this Order, stating why the Court should or should not transfer this matter under 28 U.S.C. § 1404(a) to the Central District of California, or any other district where the action might have been brought. Alternatively, plaintiff may withdraw this matter and re-file it in the district more closely related to the events giving rise to this matter.

IT IS SO ORDERED.

December 8, 2008

  
Saundra Brown Armstrong  
United States District Judge